



PATENT
ATTORNEY DOCKET NUMBER: 00786/345001

Certificate of Mailing: Date of Deposit: July 7, 2000

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to: BOX ISSUE FEE, Director for Patents and Trademarks, Washington, D.C. 20231.

Colleen Coyne

Printed name of person mailing correspondence

Colleen Coyne

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Seed et al.

Art Unit: 1636

Serial No.: 08/717,294

Examiner: J. Shuman

Filed: September 20, 1996

Title: HIGH LEVEL EXPRESSION OF PROTEINS

Director for Patents and Trademarks
Washington, D.C. 20231

PETITION TO ACCEPT BLACK & WHITE PHOTOGRAPHS

Applicant hereby petitions under 37 CFR §1.84(b)(1) that the black and white photographs filed herewith be accepted. The subject matter of the invention relates to genes and methods for expressing eukaryotic and viral proteins at high levels in eukaryotic cells. The photographs in Figures 3, 5A, 5B, 5C, 9A, 9B, and 10 are necessary to accurately and clearly depict the subject matter sought to be patented.

Enclosed is a check for \$130.00 to cover the fee required under 37 CFR §1.17(h) and one set of the photographs, rather than three, considering the Official Gazette Notice of June 9, 1998 in which the PTO sua sponte waived 37 C.F.R. 1.84(b)(1)(ii) to the extent

that only a single set of black and white photographs need be submitted with a petition to accept black and white photographs in lieu of drawings.

If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 7 July 2000


Karen L. Elbing, Ph.D.
Reg. No. 35,238

Clark & Elbing LLP
176 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045

\\\Ntserver\documents\00786\345xxx\00786.345001 Petition to Accept Black & White Photographs.wpd